

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SCOTT THROWER, on behalf of)
CAROLINAS ELECTRICAL WORKERS)
RETIREMENT FUND; NATIONAL)
ELECTRICAL BENEFIT FUND; and)
FAMILY MEDICAL CARE PLAN,)
)
Plaintiffs,)
)
v.) No. 3:20-cv-00392
)
GLOBAL TEAM ELECTRIC, LLC; CALVIN)
GODWIN; and DARMELLEON LEE,)
)
Defendants.)

ORDER

Before the Court is a Report and Recommendation (“R&R”) (Doc. No. 73) recommending the Court grant Plaintiffs’ Motion for Summary Judgment (Doc. No. 62). No timely objection has been filed.

The failure to “timely object to a report and recommendation releases the Court from its duty to independently review the matter.” Lawhorn v. Buy Buy Baby, Inc., No. 3:20-cv-00201, 2021 WL 1063075, at *1 (M.D. Tenn. Mar. 19, 2021); see also Thomas v. Arn, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

Despite this, the Court thoroughly reviewed the R&R and agrees with the Magistrate Judge’s recommended disposition. Thus, the R&R is **APPROVED AND ADOPTED**. Plaintiffs’ Motion for Summary Judgment (Doc. No. 62) is **GRANTED**. Plaintiffs are awarded damages in the total amount of \$193,1112.70, and Plaintiffs may to offset Defendant Lee’s accrued pension

benefit with the Carolina Electrical Workers' Retirement Fund against the amount owed that fund. Accordingly, the Court's Trial Order (Doc. No. 61), which set several pretrial deadlines and a trial date for February 21, 2023, is **VACATED**.

This is a final order. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58 and close the file.

IT IS SO ORDERED.



WAVERLY D. CRENshaw, JR.
CHIEF UNITED STATES DISTRICT JUDGE